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THE STREET, STREET, STREET,

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PRICE FIVE CENTS.

AMENDED EQUITABLE CHARTER HAD BEEN SENT TO ALBANY.

Counsel for Society Say Snot, Hendricks Can't Be Enjoined From Approving and Filing-Other Side Think There Is Still Time-Argument Pestponed.

Counsel for the Equitable Life Assurance Society declared yesterday that nothing damaging to the policyholders' interest can result from the action trought in the Surreme Court in Brooklyn at the instance of Franklin B. Lord, owner of thirty-six shares of the capital stock of the society, to restrain the society, its board of directors and officers from carrying into effect the proposed plan of mutualization as provided in the amended charter.

They said that Mr. Lord is too late with his application for a restraining order that final action has been taken by the board in the matter and that the amended charter is now probably in the hands of the State Sar erintendent of Insurance, whose aptroval it will have to have before it can lecome operative. The charter was forwarded to Sunt. Hendricks by the directors, it was wild, on Friday before the order to show cause was obtained from Justice Maddox. It was said that it would be impossible to enjoin the Superintendent in the matter.

It is the opinion of Edward M. Shepard, counsel for Mr. Lord, that further action the board of directors is necessary efore the amended charter, if approved by the Superintendent, can be put into effect, and argument on the application for a permanent restraining order will be beard before Justice Maddox on Monday an adjournment having been taken from 11 o'clock vesterday morning at the request of Mr. Shepard. In adjourning the bearing. however, Justice Maddox ordered that the executive board of the society and its officers should take no affirmative action as regards the mutualization plan until argument had been heard by the court. This order, of course, has the effect of a temporary injunction, and Mr. Shepard's request that an adjournment of the argument should not be considered without this was opposed by William B. Hornblower, who appeared for the Equitable. Other counsel present for the Equitable

were William N. Coben and Bainbridge Colby. Associated with Mr. Shepard as representing Mr. Lord was Henry De Forest In opening, Mr. Shepard declared that the object of the application was to make

certain that however much merit there might be in the mutualization of the society all the steps taken were legal and that the rights of the stockholders were fully safeguarded. "We assume," said Mr. Shepard, "that

our friends on the other side believe as we do, that so grave a change in the affairs of the Equitable society should not take place under any circumstances unless it is entirely lawful and can be upheld. I would suggest that no undue haste be made in the matter."

Mr. Shepard said, though, that he understood that the preparation of the proposed amended certificate of the Equitable and the procedure to the confirmation of the amendment were to be effected without delay. For this reason the motion had been made returnable expeditiously.

Mr. Hornblower replied that his client or decision by the court on the question of law involved in the plan, but some of the uppers, he said, were served late on Friday and had come into his bands only a few hours before the time set for the argument of the motion.

"I make it a supulation of adjournment that the board of directors shall take no action whatever regarding this plan of mutualization until argument has been heard and decision rendered," said Mr

Shopard. "I will make no such agreement," replied Mr. Hornblower, sharply, 'The action amending the Equitable charter has already been taken, and now it is simply the duty of the officers to go shead and put it into effect after it has been approved by the 8. perintendent. "

But we have had no notice," Interrupted Mr. Shepard.

*Again I remark that that is remarkable. retorted counsel for the society. Then he added: "As a matter of fact, the executive officers of the society have already proceeded and have executed the amended charter, which is now in the hands of the Superintendent of Insurance, and there is nothing further for them to do." "If it is true, as counsel declares," said

Mr. Shepard, "that the amended charter has already been sent to the Superintendent of Insurance it is proper that the court should know when that action was taken with reference to the time of the service of these papers. Will counsel tell us when that step was taken?" inquired Mr. Shepard,

"Are you making another motion now, Mr. Shepard?" replied Mr. Hornblower blandly, and then Justice Maddox announced the adjournment.

The ground on which counsel for Mr. Lord expect to be able to accomplish something in their action, if the application for the injunction is granted, was explained last night. The insurance law covering the amendment of the society's charter, it was said, provides for the submission of the amended charter to the Superintendent for his approval after the directors have acted on it, and then for the filing of the amended charter in the office of the Department of Insurance in Albany It is contention of Mr. Lord's counsel that the law anticipates the transfer of the charter by the Superintendent back to the fficers after it has been approved by him, and the filing of it by the officers of the society. In other words, they say that it is one thing to send it to his office for approval and an entirely separate thing to

send it there to be filed. Many reports were circulated yesterday egarding the true inwardness of the action as related to the controversy in the society. Most of these reports had it that Mr. Lord was acting in the interest of the Hyde faction. This, however, was emphatically denied by the plaintiff, who declared that he had undertaken the action entirely on his own account, because he believed that vital principle of stock ownership is involved in the mutualization plan. He

LORD INJUNCTION TOO LATE? cently had a falling out with him and had G. WINTHROP SANDS MARRIES. taken this way of getting even. Mr. Lord said yesterday that he had never known Mr. Hyde except in the most casual way and that there were no personal differences between them. He said that his law firm many years ago, when the Equitable was in the control of the elder Hyde, had been counsel for the Equitable and that the firm's relations with Mr. Hyde had always been pleasant.

Mr. Lord denied yesterday a report that one of his thirty-six shares of Equitable stock recently transferred by him was the share now in the possession of Mary B. Young of Saratoga which allowed her as a stockholder to bring action through Senator Brackett against Vice-President Hyde and Director Schiff. He said he had transferred one share temporarily to a clerk of his.

The policyholders' committee was not ready yesterday to say formally what it will do in case a permanent injunction is obtained by Mr. Lord, but one member of the committee intimated that should the plan as proposed by the committee be blocked the committee will go directly to the Legislature and seek the necessary enactment to make the change.

We should have gone to the Legislature in the first instance," said this committee-"Perhaps then we could have straightened out the whole situation by an investigation and have saved all this futile snarl.

When the Legislature was mentioned to other members of the committee they laughed and said they would trust to the

Senator Depew was asked vesterday about that \$25,000 a year which, as told in THE SUN, a policyholder said he got from the Equitable. The policyholder didn't know what the Senator did for the money, but he said he would like to know.

"I am silent," said Mr. Depew, "until the investigation is finished. I know who that olicyholder is; he's a friend of mine, but he likes a scrap.'

"But did you get the \$25,000?" 'My connection with the Equitable society," he continued, "has extended over thirty years. I'm proud of it."

"Then you didn't get the \$25,000?" "It's something to be proud of, to have

had the confidence of everybody connected with the society for thirty years." "But how about the statement of the policyholder?"

"I will refer the policyholder to the investigators. The State investigators and the committee are at work. Every one who has questions to ask or charges to make should go to them.

Then you won't say---"Yes, that investigation may take some time. First of all, they must go over the assets; that's a comparatively simple matter. I went over them all myself the other day. Then they must investigate the loans

and mortgages and go out and examine the real estate, which is a more difficult and intricate affair. But the real crux is the values of the policies. All this will take time, you know. The investigators are the persons to whom to go for infor-

RESERVOIR BURSTS; MANY DEAD. Accident Near Madrid Results in Death or Injury of 400 Persons.

Special Cable Despatch to THE SUN. MADRID, April 8 .- A large reservoir in course of construction near this city collapsed to-day and many lives were lost. It is believed that the casualties will number

The disaster created a great sensation throughout the city and all business was

suspended. More than eighty bodies have been recovered, and the number of the injured is increasing. All the latter are seriously burt. The ambulance stations are overflowing. Gendarmes, troops and firemen and a large staff of surgeons are engaged in the work

The disaster created intense excitement among the working classes. Processions women carrying black flags marched through the district where the accident happened. A crowd went to the shipping district and compelled the storekeepers to close their establishments as a sign of

mourning. One of the injured workmen says the accident was so sudden that he could not explain the cause. The workmen expected some disaster to happen, as a fortnight ago three of the arches of the reservoir collapsed and four others were badly

King Alfonso was at Carabanchel when he heard of the disaster. Accompanied by the Ministers, he proceeded at once to the scene, where he was enthusiastically cheered. The King was apparently deeply moved and insisted on personally superintending the rescue operations. He was surrounded while at the scene by crowds of weeping women. The King remained with the workers for some time.

On his return to the palace he despatched an abundance of supplies for those at the scene of the work. It is believed the accident was due to a sudden subsidence of the

The Minister of Agriculture has ordered

an inquiry into the disaster. ARREST PINKERTON GUARDS And Man Who Hired Them to Pretect Prop-

erty Against Strikers. WHEELING, W. Va., April 8 .- Senator H. E. Whitaker, chief owner of the Whitaker-Glessner mills, whose employees have been on strike for some weeks, and thirty-five Pinkerton guards were arrested this afternoon on warrants charging them with violating a State law prohibiting the importation of non-residents to be employed

The Senator, who is one of the biggest ndependent iron and steel manufacturers the United States, was taken before

in the United States, was taken before a justice of the peace and held in \$500 bond for the Grand Jury. The guards were held in \$500 each for their appearance before the next term of the Criminal Court. The arrest of Senator Whitaker on complaint of the strikers is said to be an acknowledgment of their defeat in the fight, which has now degenerated into nothing but a demand for recognition of the Amalgamated Association. the Amalgamated Association.

WILL TRY ARMOUR OFFICIAL. The Demurrer Made in Behalf of Supt. Conners Overruled.

CHICAGO, April 8.-Thomas J. Connors

general superintendent for Armour & Co., what had been made public regarding the controversy going on within the society.

Reports were circulated, too, in Hyde quarters that Mr. Lord had once been counsel for James H. Hyde, but had remust stand trial on a charge of tampering

BRIDE OF W. K. VANDERBILT'S STEPSON IS MISS TAYO NEWTON.

Young Man Was a Harvard Freshman Last Fall-Of Late Has Been Working in a Banker's Office Here and Living Alone in the W. K. Vanderbilt House

G. Winthrop Sands, stepson of William K. Vanderbilt, and Miss Tayo Newton. daughter of Dr. and Mrs. B. Newton of West Fifty-seventh street, were married yesterday morning at the Marble Collegiate Church (Reformed), Fifth avenue and Twenty-ninth street, by the Rev. Otto L. F. Mohn, the assistant minister.

It was said last night by the friends of Mr. Sands that the marriage had been approved, not only by the parents of the bride, but by Mr. Vanderbilt and his wife. who, before her marriage to Mr. Vanderhilt in 1903, was first the widow of Samuel Stevens Sands and later the widow of Lewis M. Rutherfurd. These friends said that, although the marriage may have appeared to be hasty, it was not exactly so, but rather the result of the wish of the young people to be married at once and as quietly as possible. The Rev. Mr. Mohn said that the ceremony was arranged for ten days ago.

Mrs. Vanderbilt is abroad. The parents of the bride were not present at the ceremony. Dr. Newton, a retired physician, said last night at his apartments in the St. Hubert that he did not object to the match He did not know, however, who had per formed the ceremony or who was present.

'There was consent on both sides." he said. "I did not deem it my business to interfere with my daughter's affairs."

"Is your daughter of age?" "I do not think so," said Dr. Newton. It was not that he did not know her years. but that he was in doubt as to the legal age for marriage without the parental consent.

A man close to Mr. Sands said last night that the bridegroom was 20 years old and that the bride was a year younger. The Rev. Mr. Mohn was asked about this.

"They were both of age," he said. "The groom was 24 years old—I have his affidavit for that-and the bride-well, she was of

The friend of Mr. Sends said that Mr. Sands's brother, S. Stevens Sands, was at the wedding and that the only other witnesses were Mr. and Mrs. C. L. Waterbury and J. H. Alexandre, Jr.

Mr. Sands came here from abroad three vears ago. He is a tall, handsome young fellow of athletic tendencies, a golfer and rider. He and his brother were in the freshman class at Harvard when this year's catalogue was printed. He has recently been at work in the banking house of Tailer & Robinson at 2 Wall street and lived a rather lonely bachelor life in his stepfather's house at 660 Fifth avenue. His mother has lived abroad for years-the Vanderbilts are now in France-and his brother is still at college. Mr. Sands's friends said yesterday that he and Miss Newton have known each other since childhood and have had an understanding for

a long time. The bride is described as a very beautiful young woman of the brunette type. Mr. Sands's mother, who was Miss Anne Harriman, married Samuel S. Sands when she was 18 and joined him in the outdoor sports of which he was so fond. She was a daughter of Oliver Harriman and the sister of Mrs William R. Travers. Her married life with Mr. Sands was very happy. After his death she married his most intimate friend, Lewis Morris Rutherford. Since that time she has lived mostly abroad. She bore two sons to Mr. Sands, Winthrop and Stevens, and two daughters to Mr Rutherfurd, who died in 1901.

Mrs. Rutherfurd's marriage to Mr. Vanderbilt, which took place in St. Mark's Church, London, April 29, 1903, caused international comment because of the opposition of English churchmen, based on the fact that Mr. Vanderbilt was a divorced person. His former wife is now Mrs. O. H. P. Belmont.

ALLEGED BRIBER FREE.

The Last Indictment Against Edward Butler of St. Louis Is Quashed.

St. Louis, April 8.-The last indictmen against Edward Butler for his alleged connection with boodling was dropped o-day after Judge Hiram Moore of the Court of Criminal Correction had sustained a motion to quash the information charging him with bribing Charles F. Kelly to leave St. Louis and remain away to avoid testifying before the Grand Jury.

Butler was convicted at Columbia, Mo. of attempting to bribe a member of the Board of Health and sentenced to three years in the penitentiary. The Missouri Supreme Court reversed the decision and ordered the defendant released. Butler was later acquitted by a jury at Fulton, Mo., of bribing members of the House of Delegates in the lighting deal. Charles F. Kelly, an important witness in this case. eft the city and spent several months in Europe, and remained away until the statute of limitations would not be applicable to the cases of several alleged wealthy brite

In the information quashed to-day Butler was charged with sending Kelly to Europe to keep him from testifying.

STORE SLEUTH ARRESTS THREE Woman Denics She Was With Couple Who Had Alleged Plunder.

A young man and two young women attracted the attention of House Detective John F. Larkin at Altman's vesterday afternoon. He followed them to the second While the young women engaged the attention of a couple of saleswomen the man stood by their side, near the coun ter. Finally Larkin says he saw him slip

five silk waists into his side pocket. Larkin arrested all three. He says two pairs of silk hose, valued at \$13, were found n the muff of one of the women. The side pocket of the man's overcoat had no bottom to it. The whists were down inside the lining. Altogether the stuff recovered was worth \$108.50

worth \$108.50.
On the way to the station house the man told Larkin that he had just come here from the West and had no idea of being arrested so soon. He gave his name as William Reynolds. The women said that Villiam Reynolds. The women said that bey were Anna Burnham of 230 West ortleth street and Mrs. Lottie McCabe, s refused.

McCabe denied that she had been

with the others or that she even knew them. All three were locked up in the Tenderloin PILGRIMAGE TO ROME

Tour of Europe. Write for illustrated booklet.

Dyspepsia, constitution. Hver and stomach troubles cured by Bohn's Lazatives.—Ads.

UNION STATION IN THE BROXX. HE FOUND A NEW EXPLOSIVE New York Central Is Said to Have Been Huying Property for Que.

The New York Central Railroad has recently been acquiring land between its right of way and Mott avenue, from 138th 0 149th street, in The Bronx. The purchases have been made quietly. The land, it is said. is to be used for the erection of a great union station in The Brenx. It is known that the Central for several years has contemplated the erection of such a station. where its suburban traffic, as well as the traffic of the Harlem division and of the New York, New Haven and Hartford road, can be handled with greater facility than the present accommodations allow. This terminal, it is said, will be either at 138th or 149th street.

The new station in The Bronx, it is said would greatly relieve the congestion in the Forty-second street station, and with the iburban trains stopping north of the Harlem River the movement of the road's through and local express trains would be expedited. The union station also, it is said, would prove of additional service during the building of the great station at Forty-second street.

Among the concerns that have been approached by persons said to represent the New York Central, with a view to purchasing property, is the Francis Bacon Piano Company. Their property fronts the tracks at 139th street. The railroad company, it is said, has either acquired or secured options on all the land that it needs for the station, and also for the new tracks which t will need from Mott Haven north. It was said last night that the new station will probably be built at 138th street. The an for the new East Side subway, as drawn William Barelay Parsons, takes it into a Mott Haven station of the Central at 138th

AS MRS. FAIRBANKS VIEWS IT Too Farly, She Says, to Talk About Her Husband's Candidacy.

NORFOLK, Va., April 8 .- Mrs. Charles Warren Fairbanks, wife of the Vice-President and president-general of the Daughters of the Revolution, arrived here this evening to visit Mrs. Hugh Nelson Page, regent of the society here. To the reporter who questioned her about the boom of Mr. Fairbanks for the Presidency, Mrs. Fairbanks

"Oh, there is nothing whatever in that, although the Senator did make a little speech down in Greensboro, N. C., about a month ago. "But is he not a candidate for the Presi-

dency?" asked the reporter. "It is really too early yet to be talking about such things," said Mrs. Fairbanks, smiling amigbly, "for you know Mr. Rooses velt has several years to serve.'

Mrs. Fairbanks said that the Senator, as she still calls the Vice-President, is in Indianapolis now, looking after his interests in the Hoosier State. "He is not so fond," she said. "of shooting and of bagging big game as the President,

but he takes a little recreation of that sort occasionally. Mrs. Fairbanks says she will not be a candidate for the presidency of the Daughters again, as two terms are enough. In answer to the reminder that one Presidential candidate in the family implied another,

he merely smiled. Mrs. Fairbanks attended the launching of the battleship Minnesota at Newport News to-day as the guest of Col. Potts. commandant of Fort Monroe.

ROBBERS IN CENTRAL PARK.

Man With \$200 Lured There and Badly Beaten-One Assallant Captured.

While crossing Central Park last night Policeman McDonald of the Arsenal station heard cries for help. Running around a clump of bushes he found Everett Gassett, who lives at the Railroad Men's Y. M. C. A. on East Seventy-second street, lying on the ground with two men beating and kicking him.

McDonald ran up, blowing his whistle for assistance, and as the men ran in opposite directions he gave chase and overtook Joseph P. Kennally, 21 years old, of 248 West Sixty-seventh street. Kennally put up a stiff fight and was only captured when Policeman Sheehan came to his partper's assistance.

Gassett was found to be badly hurt and almost unconscious. He was revived and taken with the prisoner to the Arsenal. Gassett said that he had met Kennally and another man in a Third avenue saloon, and after drinking with them had started out on their invitation to see the town.

They got him to cross the Park, he said. and attacked him with a blackjack as soon as they were out of sight of the street Gassett had over \$200 in his pockets, but the thieves got none of it.

WARNED NOT TO BET OR GAMBLE. Notice to the Employees of the Public Service Corporation.

The following warning to the employees of the Public Service Corporation of New Jersey was posted in all the car barns in Hudson county yesterday:

ludson county yesteruay:
You are absolutely prohibited from gamling with cards, games of chance or horse aces, at gambling places, poolrooms or raceracks, either by stiending such places yourself or through another person.

ALBERT H. STANLEY.
General Superintendent.

District Superintendent Newton W. B. District Superintendent Newton W. Belén explained that the order was issued primarily because the wives of many employees had complained that their husbands were in the habit of gambling away much of their wages on pay days. An investigation by the company's secret service showed that a large number of trolleymen patronized poolrooms, while others frequented saloons, where they staked their money on the results of pinochle and other games of cards. Mr. Bolen said that a man who gambles sooner or later drinks. man who gambles sooner or later drinks

EXCLUSIVE OPPORTUNITY. Turkish Salesman Held on Charge of Stealing a Hag of Money.

Miss Fanny Davis of 138 West 100th street who was the caretaker in the burned buildng of the National Academy of Design, at ing of the National Academy of Design, at Amsterdam avenue and 109th street, ap-peared in the West Side court yesterday as complainant against Raphael Eskenaze, a Turkish salesman, of 132 Macdougal

She said she bought some waists of Es-She said she bought some was sufficient of the kenaze, paying him from a bag full of money. There was \$130 left after paying him. She put the bag in a bureau draws. money. There was \$180 left after paying him. She put the bag in a bureau drawer and was called to the door while Eskenaze was still in the room. Only the two of them were in the house and she missed the bag few minutes after he left

Magistrate Ommen said it was the finest case of exclusive opportunity he had ever seen and held Eskensze in \$1,000 for trial?

CHEMIST FOR SO YEARS BLOWS HIMSELF UP FOR FIRST TIME.

Was Warming in a Test Tube Some of the Residuary Solution After Making Nitro-Cinnamic Acid-The Stuff Expleded and Filled His Face With Glass.

Dr. Ludwig H. Friedburg, an instructor n chemistry in the College of the City of New York, met with an accident in the laboratory of the college yesterday that would have cost him his eyesight if he had not been wearing glasses. Dr. Friedburg was experimenting with nitro-cinnamic acid and was holding a test tube over a naphtha burner when the contents exploded, shattering the tube and driving pieces into his face.

There were only fifteen grains of the drainage or soum from the nitro-cinnamic acld in the tube. It covered a space in the bottom of the tube hardly as large as a little finger nail. Dr. Friedburg held the mouth of the tube away from him and the bottom about three inches above the naphtha

For a long time he has wondered what properties this soum or drainage from nitro-cinnamic acid had and yesterday while he was alone in the laboratory and likely to be free from disturbance he declded he would try to find out. Nitrocinnamic acid is a combination of the two acids after which it is named. The combination is an acid related to indigo. In the soum or residue left by the combination Dr. Friedburg is satisfied that he has found a new and very powerful explosive.

He was stunned for a moment when the minute quantity blew up and then he opened the laboratory door and called for help. Michael Boney, the janitor, found him standing in the doorway bleeding from many small cuts on his face.

Boney telephoned for an ambulance and then for Dr. E. W. Dittrich of 230 East Twenty-third street, who got there first Dr. Dittrich dug out the glass from the chemist's face and hands and Dr. Friedburg went to his home at 529 West 147th street He sald last night:

"It may be that this little mishap to-day will lead to something important to chemists have always been anxious to know what this liquid drainage from nitro-cinnamic acid was and you can readily see that if only fifteen grains will mark me up like this it wouldn't take so much more to blow a man to pieces."

Dr. Friedburg has been an instructor in chemistry at the College of the City of New York for the last twenty years. He said that he began the study of chemistry when he was 9 years old and had been at it for fifty years and that yesterday was the first time he had ever received a scratch in experimenting.

HAD TO SIGN SO,000 TIMES. Partners in Kuhn, Loeb & Co. Firid Japa.

ness Lonn Iftee Successful subscribers to the Japanese loan have received certificates for the amount of bonds allowed them. Each one of these certificates has the signature of the American bankers who have had charge of the issue. Something like 80,000 certificates have been sent out, and Kuhn, Loeb & Co., the bankers, have had a most

irksome job signing the certificates. By law the certificates must bear the signaare of a member of the can lighten the labor of the bankers. Every spare moment during the week was spent scratching the name, Kuhn, Loeb & Co., so ood times. A visitor who saw one member of the firm at work on the certificates had several questions to ask of the banker. Each question was answered, but the banker never once looked up from the formidable pile of green papers. He was asked how he liked it.

"It's dreadful," he said as his pen scratched away, "we are almost nervous wrecks."

THE MOVING PLATFORM.

Owners of Thirty-fourth Street Real Estate to Go Refore R. T. Commission It was announced vesterday that many of the so-called consents for the moving platform in Thirty-fourth street were made prior to the designation of the new subway routes for rapid transit lines by the Rapid Transit Commission and that since the announcement by John B. McDonald that both a moving platform and a through line from The Bronx to the Battery could not be operated on the same street some of those who indorsed the moving platform idea have decided to attend the hearing before the Rapid Transit Commissioners

requested before finally committing themselves on the subject. Among those who are to attend the hearing on the moving platform proposition are Charles Peabody of counsel for the Astor estate and the Knickerbocker Trust Company, large owners of real estate on Thirty-fourth street.

which the Pennsylvania Railroad has

PHILIPPINE GEMS RECOVERED.

Only American Woman in Manila on Day

of Dewey's Battle Has Robber Held. Mrs. Kate Knudson of 614 Ninth avenue, who says she was the only American woman resident of the Philippines prior to the Spanish war, appeared in the West Side court yesterday as complainant against James McDonough of 329 West fourth street, whom she charged with the theft of \$800 worth of jewelry. McDonough, she said, entered her house by a window and took the jewelry from her bureau.

diamond rings, a stickpin, some studs and a loose diamond. Most of the jewelry was purchased in the Philippines a number of years ago, she said, and was of very quaint design and workmanship. She wore in court a pair of earrings each of which contained three good sized diamonds set in a fretwork of gold, the whole appearing not unlike a

She lost two watches, two chains, three

wide finger ring. Detective O'Neill of the West Fortyseventh street station found part of the stolen property on McDonough and more of it in his room and secured the pawntickets for the remainder. McDonough was held by Magistrate Ommen in \$1,000 for

trial.

Mrs. Knudson was the wife of Frederick Knudson, a Cuban by birth and an American citizen, who conducted a tobacco industry in Manila. Mrs. Knudson says she was there the day of Dewey's battle.

DEWEY'S PORT WINE AND GRAPE JUICE Cannot be excelled for the sick.

H. T. Dewey & Sons Co., 138 Fulton St., New York.

NEW ROCKEFELLER GRANDCHILD Girl Born to Mrs. Harold McCormick of

Chleago-Her Fifth Child. CHICAGO, April 8 .- A fifth child was born to Mr. and Mrs. Harold McCormick to-day Mrs. McCormick is the daughter of John D.

Rockefeller. The new baby is a girl, and late to-night t was reported that both the infant and its mother were doing nicely. Of the five children that have been born to Mr. and Mrs. McCormick three are living, a boy and two girls.

WOODRUFF WEDDING.

Date Changed to April 24-Young Wood-

roff to Marry Later. The date of the marriage of Timothy Woodruff and Miss Isabella Morrison April 22, announced in THE SUN several days ago, has been changed, it was announced last night, to April 24. The ceremony will take place at the Dorilton, Broadway and Seventy-first street, the home of the bride and her mother. The report that Mr. Woodruff's son, John, was to be married at the same time and place was said to be a misstatement. Young Mr. Woodruff is to be married late in the season at Cleveland.

FLUNG THROUGH AIR TO CAR ROOF Then Rolled Off to Ground-That Is What Gave Brier His Bruises.

William Brier is 23 years old and hails from Scranton, Pa. He was working a riveter on one of the bridges over the ackawanna depression near Roseville station, Newark, yesterday morning when the Montclairfexpress came through and the hood of the engine cab caught the drooping air bose. Brier was flung into the air and he fell upon the roof of one of the passenger cars. He rolled over several times and then fell twelve feet to the ground between the tracks. Then he did some more rolling and slumped down in a heap.

He was taken to St. Michael's Hospital and an examination disclosed that his most serious injury was a sprain of the right arm. There was a superficial cut on his forehead and a well distributed lot of contusions, but altogether they did not amount to anything serious.

When asked what his impressions were ne said that he did not have time to think before he struck the roof of the car, and then he wondered whether there was another train coming on the other track. Then came the hard bump and he was dazed for a while

GEO. GOULD'S DRIVER NABBED. Bike Cop Says He Was Going Too Fast on

Broadway in Mr. Gould's Auto. Bicycle Policeman Herrigan of the West Forty-seventh street station arrested vesterday afternoon Arthur Frossini, an automobile driver in the employ of George Gould, at Broadway and Fiftieth street.

for violating the speed ordinance. Frossini was in Mr. Gould's machine. He was locked up and later bailed out by an automobile dealer

4,500 DEAD IN INDIAN TOWN. Great Loss of Life at Kangra-Not a Bullding Left in One Place.

Special Cable Despatches to THE SUN

4,500 persons were killed during the earthquake shocks at Kangra. The first relief party to reach Dharmsala. the hill station which was destroyed by the | through the Straits of Malacca on Friday. recent earthquake, arrived there last even-

The horrors of Dharmsala were duplicated at Kangra, except that the number of Europeans killed and injured there was less. Not a building was left standing. All the police were killed. Many persons who were buried in the ruins of buildings

are believed to be still alive. SIMLA, April 8.-The viceregal lodge has been declared unsafe on account of the damage done to it by the earthquake, and Lady Curzon and her children, with the Viceroy's staff, have been removed to other quarters. Lady Curzon's bedroom was

badly damaged. STUDENT HURT ON BALL FIELD. Collided With Another While Trying to

Catch a Ball. PRINCETON, N. J., April 8 .- R. A. Garrison, senior, was playing baseball with some of his classmates on Brokaw Field yesterday, and in running to catch a ball he collided violently with another man who was attempting to catch the same ball. Both men were thrown to the ground, but

it was not thought that either was injured. Garrison walked to his room and seemed to be feeling as well as usual. Shortly after his return, however, while he was talking with his roommate, he toppled over in a faint. He was carried to the Princeton

Infirmary, where he grew rapidly worse.
A specialist was summoned from New
York and it was found that one of his kidneys had been badly torn.

An operation had to be performed at once and the organ removed. For some time it was thought that Garrison could

not possibly recover, but to-night he is

better, and his chances of recovery are favorable. He comes from Philadelphia. REPAY THE VANDERBILTS For War Taxes Illegally Levied on the

Estate of Cornelius. Judge E. H. Lacombe of the United States Circuit Court signed yesterday an order directing Ferdinand Eldman, United States Internal Revenue collector, to pay to W. K. Vanderbilt, Alfred Gwynne Vanderbilt, Chauncey M. Depew, E. V. W. Rossiter and Alice G. Vanderbilt, executors of the estate of Cornelius Vanderbilt, \$397,111.27, that being the amount of war tax, with interest, illegally collected from the estate in 1898. The excutors at the time, under protest, paid an assessment of \$311,681.36 and carried the question to the United States Circuit Court, ch sustained the assessment, as did later which sustained the assessment, as did later the United States Circuit Court of Appeals. But recently the United States Supreme Court reversed the courts below and or-dered the refunding of the amount paid,

plus interest and costs TO TAKE CENSUS OF THIS STATE. The Statistician of the Census Bureau

Detailed to Assist. WASHINGTON, April 8.-Director North of the Census Bureau has detailed William C. Hunt, chief statistician of the bureau, to assist the New York State authorities taking the census next month.

The population of New York city, ac-

cording to the estimates of the Govern ment bureau, based upon the percentage of growth, is now 3,802,007, against 3,457,202 in 1900, and of the State 7,901,754, against 7,268,884 in 1900. The census figures for both State and city will probably exceed the estimates, however, owing to the fact that the immigration in the last five years has been very heavy and an unusual percentage of the foreigners has remained in the city.

Russian Fleet Reported Off Singapore Harbor.

JAP CRUISERS WATCHING.

Rojestvensky's Squadrons Within Reach of Togo's Ships.

Greatest Naval Battle of the War Thought to Be Imminent-Baltle Fleet Said to Be in Bad Shape-Talk of Peace Weakens in St. Petersburg-Princh Henry's Visit Said to Be on Behalf of the Kaiser. Who Wishes to Advise the Czar-Latter May Not Yield Even Should His Warshing Again Re Reaten.

Special Cable Despatches to THE SUN. SINGAPORE, April 8 .- The Russian fleet under command of Admiral Rojestvensky was sighted this afternoon passing through the harbor and at this time (3:10 P. M.) headed northeast.

It is believed that a naval battle is impanent, in view of the reports from Penang that a Japanese scouting squadron bas een sighted there. In all thirty-five Russian vessels were

sighted. When first seen they were appar-

ently heading for Durian Strait, which is a passage between two small islands a few miles south of Singapore and leads from Malacca Strait into the China Sea. London, April 8.-Lloyd's has received a despatch from its agent at Singapore. dated 11:30 o'clock to-day, stating that the steamship Tara has arrived there and reports that she passed forty-soven Russian

warships at midday vesterday off One

Fathom Bank, in the Malacca Straits, stees-

ing southeast JAPANESE CRUISERS SIGRIED. PENANG, Malacca Straits, April 8 .- The steamship Kum Sang reports sighting twelve Japanese oruisers-apparently a scouting squadron-steaming ahead of the Russian fleet off Singapore.

LONDON, April 8.-War risks for shipping east of Singapore jumped 500 per cent. at Lloyd's to-day on the publication of the news of the whereabouts of the Russian and Japanese fleets.

London underwriters believe that Admiral Rojestvensky is beading for Saigon French Cochin China. BRITISH SHIPS ORDERED SOUTH. LAHOBE, April 8.-It is believed that Hong Kong, April 8.-The Japanese Consul confirms the reports from Singapore that forty-seven Russian ships passed

> The consul is unable to state the whereabouts of the Japanese vessels, but a strong squadron is known to be to the southward. The steamship Karoon, which has just

arrived here, reports that she passed the Russian vessels. The British battleship Ocean sailed to-day for the scene of the expected sea fight. Several other vessels of the China squadron

had already sailed. SHIPS SAID TO BE IN BAD SHAPE. CHICAGO, Ill., April 8 .- Tho Daily News to-night publishes the following despatch

from Singapore: "Admiral Rojestvensky with the Baltio fleet passed this port at 3 P. M. to-day. The Russian vessels were about seven miles off land and afforded a magnificent spectacle. They steamed along four abreast, an armored cruiser and three Hambur American transports leading. Cruisers, battleships, colliers and a hospital ship

followed. The fleet made no stop. M. Roudanovski, Russian Consul here, spoke to one of the torpedo boats and to the flagship of the Vice-Admiral. He gave them the first news of the recent disaster in Manchuria. The Vice-Admiral offered no information as to the fleet or its inten-

Steaming at the rate of eight knots an hour it took fifty-five minutes for the whole fleet to pass a given point. It was very evident that the ships' hulls were exceedingly foul. Long grass streamed from them and the vessels seemed unfit for fast manœuvring. The crews of the various ships heartily cheered Consul Roudanovski.

transports, sixteen colliers, one salvage ship and one hospital ship. LESS TALK OF PEACE NOW. European Belief That Pending Naval

The fleet was made up of six battleships,

seven cruisers, seven torpedo boats, three

Battle Must Be Fought. Special Cable Despatch to THE SU LONDON, April 8 .- THE SUN'S St. Petersburg correspondent telegraphs that it is asserted with equal confidence that Prince Henry has come there to urge the Czar to decide in favor of peace and on the other hand to advise him to continue the war. It is noted, however, that no sooper is Germany relieved from military fear of Russia than she begins to soold France. This, and Chancellor von Bülow's appreciative references to Japan, arouse resentment. Germany's rôle in regard to Russia is so delicate that all press comments in St. Petersburg on this subject are for-

bidden. Despite the absence of an expression of public opinion, the authorities of St. Petersburg regard the Kaiser's latest attitude with suspicion. They recognize the fact that he has great influence with the weakling Czar, who, it is known, is much

pleased with the visit of Prince Henry. The advice which the Prince will give Nicholas on behalf of the Kaiser can hardly be expected to be disinterested, and those who fear German influence at Tsarskoe-Selo believe that counsel from this source